

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE: CAPITAL ONE CONSUMER)
DATA SECURITY BREACH LITIGATION) MDL No. 1:19md2915 (AJT/JFA)
_____)

This Document Relates to the Consumer Cases

**PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF
MANDIANT REPORT AND RELATED MATERIALS**

Plaintiffs, by counsel, respectfully request that the Court to grant their Motion to Compel Production of Mandiant Report and Related Materials, including any and all Mandiant reports regarding the Data Breach at issue in this litigation; communications between Mandiant and Capital One employees regarding Mandiant's factual conclusions and remediation recommendations; and communications between Capital One employees discussing the Mandiant Report, its conclusions and recommended remediation measures. The parties have met and conferred in good faith multiple times telephonically over the course of several months since January 2020 and Capital One has consistently stated its position that the Mandiant Report is privileged and will not be produced absence guidance from this Court. The reasons in support of this Motion are stated in the accompanying Memorandum in Support.

Dated: April 24, 2020.

Respectfully Submitted,

/s/ Steven T. Webster

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CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

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